

WEDNESDAY, JANUARY 19, 2000
FORTY-SECOND LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Dr. Ray L. Self, Director, Jacksonville Theological Seminary, Memphis Chapter, Memphis, Tennessee.

Representative Cooper led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 99

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 382: Rep(s). Stulce, McAfee, Wood, Brown and Sharp as prime sponsor(s).

MESSAGE FROM THE SENATE
January 19, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 521, 522, 539, 540, 541 and 542; all adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

Senate Joint Resolution No. 521 -- Memorials, Retirement - Fred Tucker, Commissioner of TDVA. by *Haynes, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 522 -- Memorials, Sports - Montgomery Bell Academy Big Red, 1999 TSSAA Division II AA state football champions. by *Henry.

Senate Joint Resolution No. 539 -- Memorials, Public Service - Mary C. Scales, Community Service Award recipient. by *Womack, *Ford J, *Harper.

Senate Joint Resolution No. 540 -- Memorials, Public Service - John Bragg, Community Service Award recipient. by *Womack, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 541 -- Memorials, Public Service - Myrtle Lord, Community Service Award recipient. by *Womack, *Harper.

Senate Joint Resolution No. 542 -- Memorials, Public Service - Steve Bingham, Community Service Award recipient. by *Womack, *Harper.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Davidson and Sen. Graves were recognized in the Well to introduce Mr. Paul Johnson for remarks.

RESOLUTION READ

The Clerk read House Joint Resolution No. 376 honoring Mr. Johnson for his service in the Vietnam War.

House Joint Resolution No. 376 -- Memorials, Heroism - Paul W. Johnson, MSgt. U.S. Army, Retired. by *Davidson, *McDaniel, *Hargrove.

RECOGNITION IN THE WELL

Rep. Walker was recognized in the Well to introduce artist Susan Cassidy Wilhoit for remarks.

RULES SUSPENDED

Rep. Walker moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 391 out of order, which motion prevailed.

House Joint Resolution No. 391 -- Memorials, Recognition - Susan Cassidy Wilhoit, artist of "Tennessee: Across the Generations.". by *Walker (Rhea).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Walker, the resolution was adopted by the following vote:

Ayes 99
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 381 -- Memorials, Recognition - Henry County, "Volunteer County of the Volunteer State.". by *Ridgeway.

House State and Local Government Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for January 20, 2000:

House Resolution No. 120 -- Memorials, Personal Occasion - Gene and Billie Brockman Arnold, 50th wedding anniversary. by *Sargent.

House Resolution No. 121 -- Memorials, Personal Occasion - Louise and Walter Alford, 60th wedding anniversary. by *Godsey.

House Resolution No. 122 -- Memorials, Sports - 1999 Harriman High School football team. by *Ferguson.

House Joint Resolution No. 383 -- Memorials, Personal Achievement - Millie Webb, National President for MADD. by *Williams (Williamson).

House Joint Resolution No. 384 -- Memorials, Personal Achievement - Brent Cowan, Eagle Scout. by *Ford S.

House Joint Resolution No. 385 -- Memorials, Professional Achievement - Patricia A. Shutters, 2000 Tennessee Teacher of the Year. by *Godsey.

House Joint Resolution No. 386 -- Memorials, Sports - Kristy Brents, state pentathlon champion. by *Scroggs.

House Joint Resolution No. 387 -- Memorials, Sports - David Gossett, winner, 99th U.S. Amateur Golf Championship. by *Scroggs, *Kent, *Hassell, *Todd, *Pleasant, *Hargett, *Whitson, *Davis (Cocke), *Westmoreland, *Naifeh.

House Joint Resolution No. 388 -- Memorials, Sports - Coach Catherine Neely, Tennessee Sports Hall of Fame. by *Sharp, *McAfee, *Wood, *Stulce, *Turner (Hamilton), *Brown.

House Joint Resolution No. 389 -- Memorials, Sports - 1999 Milan High School football team, TSSAA Class 3-A state champions. by *Pinion, *Phelan.

House Joint Resolution No. 390 -- Memorials, Death - Margaret F. Wix. by *McDonald, *McAfee, *Black, *Windle, *Arriola, *Odum, *Curtiss, *Lewis, *Ferguson, *Head, *West, *Davidson, *Rhinehart.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for January 20, 2000:

Senate Joint Resolution No. 521 -- Memorials, Retirement - Fred Tucker, Commissioner of TDVA. by *Haynes, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 522 -- Memorials, Sports - Montgomery Bell Academy Big Red, 1999 TSSAA Division II AA state football champions. by *Henry.

Senate Joint Resolution No. 539 -- Memorials, Public Service - Mary C. Scales, Community Service Award recipient. by *Womack, *Ford J, *Harper.

Senate Joint Resolution No. 540 -- Memorials, Public Service - John Bragg, Community Service Award recipient. by *Womack, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 541 -- Memorials, Public Service - Myrtle Lord, Community Service Award recipient. by *Womack, *Harper.

Senate Joint Resolution No. 542 -- Memorials, Public Service - Steve Bingham, Community Service Award recipient. by *Womack, *Harper.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 2037** -- Psychologists - Reduces from 30 to 12 days time psychologist licensed in another state can practice in Tennessee each year; removes requirements of written authorization and supervision by Tennessee psychologists; substitutes term provisional license for limited license. Amends TCA Title 63, Chapter 11. by *Walley.

***House Bill No. 2038** -- Water - Exempts from water quality permit requirements water delivery systems providing more than 1 million gallons a day of water in Johnson County. Amends TCA Section 69-3-108. by *Mumpower.

House Bill No. 2039 -- Maryville - Subject to local approval, creates office of finance director; revises duties of recorder. Amends Chapter 209 of the Private Acts of 1927. by *Kerr, *McCord.

House Bill No. 2040 -- Hancock County - Subject to local approval, revokes authorization for residents to fish with nets for "rough fish" on Clinch and Powell rivers. - Repeals Chapter 374 of the Private Acts of 1953. by *Givens.

***House Bill No. 2041** -- Autopsies - Requires municipalities and counties requesting autopsy from county medical examiner to pay such county medical examiner for autopsy. Amends TCA Section 38-7-104. by *Buck, *Winningham.

***House Bill No. 2042** -- Autopsies - Requires municipalities and counties requesting autopsy from county medical examiner to pay such county medical examiner for autopsy. Amends TCA Section 38-7-104. by *Winningham, *Buck.

House Bill No. 2043 -- Claiborne County - Subject to local approval, establishes building permit fee schedule. Amends Chapter 74 of the Private Acts of 1967, and all acts amendatory thereto. by *Goins.

***House Bill No. 2044** -- Adoption - Creates process for delivery of children by parent to certain professionals without surrender procedure; adds to definition of "abandonment" for termination of parental rights; imposes duties on certain professionals and department of children's services; creates criminal defense. Amends TCA Title 36, Chapter 1; Title 37, Chapter 1; Title 37, Chapter 2, Part 4; Title 39, Chapter 15 and Title 63, Chapter 1. by *Bunch.

***House Bill No. 2045** -- Courts, General Sessions - Increases from \$15,000 to \$25,000 jurisdictional limits of all general sessions courts other than Shelby County which is presently \$25,000; removes \$25,000 limitation on awards of alternative money judgment in all sessions courts other than Shelby County which is presently unlimited. Amends TCA Title 16, Chapter 15, Part 5. by *Bunch.

House Bill No. 2046 -- Hospitals and Health Care Facilities - Permits expansion of no more than 12 beds for certain not-for-profit nursing home providers. Amends TCA Title 68, Chapter 11. by *Davis (Washington), *Patton, *Whitson.

House Bill No. 2047 -- Election Laws - Ensures person will not be denied right to register to vote for failure or refusal to provide social security number for inclusion on permanent registration record; prohibits inclusion of social security number on permanent registration card. Amends TCA Section 2-2-116 and Section 2-2-124. by *Davis (Washington), *Patton, *Gunnels, *Buttry, *Montgomery, *Godsey, *Mumpower.

***House Bill No. 2048** -- Motor Vehicles, Titling and Registration - Authorizes issuance of new specially earmarked license plates for National Rifle Association Amends TCA Title 55, Chapter 4. by *West.

***House Bill No. 2049** -- Workers' Compensation - Removes age related cap on permanent total benefits in workers' compensation cases. Amends TCA Section 50-6-207. by *West.

***House Bill No. 2050** -- Custody and Support - Exempts from bankruptcy process child support payments made pursuant to court decree or order. Amends TCA Title 26, Chapter 2 and Title 36, Chapter 5. by *West.

***House Bill No. 2051** -- Motor Vehicles - Limits wrecker towing fees to \$50.00 and storage fees to \$15.00 per vehicle per day. Amends TCA Title 55, Chapter 23. by *West.

***House Bill No. 2052** -- Mental Retardation - Prohibits reduction or denial of family support benefits provided by grant from department of mental health and mental retardation if recipient of benefits receives other governmental financial assistance. Amends TCA Title 33. by *West.

House Bill No. 2053 -- Sunset Laws - Wildlife resources commission, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 70, Chapter 1. by *Kernell, *Garrett, *Brooks.

House Bill No. 2054 -- Administrative Procedure - Extends agency rules set to expire under provisions of UAPA. by *Kernell, *Garrett, *Brooks.

House Bill No. 2055 -- Sunset Laws - Tennessee tollway authority, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 54, Chapter 15. by *Kernell, *Garrett, *Brooks.

House Bill No. 2056 -- Sunset Laws - Tennessee science and technology advisory council, June 30, 2004. Amends TCA Title 4, Chapters 14 and 29. by *Kernell, *Garrett, *Brooks.

House Bill No. 2057 -- Sunset Laws - Terminates Tennessee international trade and export development advisory council. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 27. by *Kernell, *Garrett, *Brooks.

House Bill No. 2058 -- Sunset Laws - Terminates Tennessee competitive export corporation. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 27. by *Kernell, *Garrett, *Brooks.

House Bill No. 2059 -- Sunset Laws - Tennessee emergency management agency, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 58, Chapter 2. by *Kernell, *Garrett, *Brooks.

House Bill No. 2060 -- Sunset Laws - State volunteer advisory board, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 41, Chapter 10. by *Kernell, *Garrett, *Brooks.

House Bill No. 2061 -- Sunset Laws - Insurance committee, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 8, Chapter 27. by *Kernell, *Garrett, *Brooks.

House Bill No. 2062 -- Sunset Laws - State funding board, June 30, 2008 Amends TCA Title 4, Chapter 29, and Title 9, Chapter 9. by *Kernell, *Garrett, *Brooks.

House Bill No. 2063 -- Sunset Laws - State election commission, June 30, 2008. Amends TCA Title 2, Chapter 11, and Title 4, Chapter 29. by *Kernell, *Garrett, *Brooks.

House Bill No. 2064 -- Sunset Laws - State board of equalization, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2065 -- Sunset Laws - State capitol commission, June 30, 2008; adds three citizen members to commission. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 8. by *Kernell, *Garrett, *Brooks.

WEDNESDAY, JANUARY 19, 2000—FORTY-SECOND LEGISLATIVE DAY

House Bill No. 2066 -- Sunset Laws - Standards committee, department of human services, June 30, 2006. Amends TCA Title 4, Chapter 29, and Title 71, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2067 -- Sunset Laws - Southern regional emergency management assistance compact, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 58, Chapter 2. by *Kernell, *Garrett, *Brooks.

House Bill No. 2068 -- Sunset Laws - Southern states energy board, June 30, 2006. Amends TCA Title 4, Chapter 29, and Title 68, Chapter 202. by *Kernell, *Garrett, *Brooks.

House Bill No. 2069 -- Sunset Laws - Southern dairy compact, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 43, Chapter 35. by *Kernell, *Garrett, *Brooks.

House Bill No. 2070 -- Sunset Laws - Solid waste disposal control board, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 68, Chapter 211. by *Kernell, *Garrett, *Brooks.

House Bill No. 2071 -- Sunset Laws - School bond authority, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 49, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2072 -- Sunset Laws - Sequatchie Valley planning and development agency, board of directors, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 64, Chapter 1. by *Kernell, *Garrett, *Brooks.

House Bill No. 2073 -- Sunset Laws - Public safety committee, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 7, Chapter 86. by *Kernell, *Garrett, *Brooks.

House Bill No. 2074 -- Sunset Laws - Public records commission, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 10, Chapter 7. by *Kernell, *Garrett, *Brooks.

House Bill No. 2075 -- Sunset Laws - Local government insurance committee, June 30, 2008. Amends TCA Title 4, Chapter 29 and Title 8, Chapter 27. by *Kernell, *Garrett, *Brooks.

House Bill No. 2076 -- Sunset Laws - Southern interstate nuclear compact, June 30, 2006. Amends TCA Title 4, Chapter 29, and Title 68, Chapter 202. by *Kernell, *Garrett, *Brooks.

House Bill No. 2077 -- Sunset Laws - Interstate earthquake compact of 1988, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 58, Chapter 2. by *Kernell, *Garrett, *Brooks.

House Bill No. 2078 -- Sunset Laws - Four Lake regional industrial development authority, June 30, 2006. Amends TCA Title 4, Chapter 29, and Title 64, Chapter 5. by *Kernell, *Garrett, *Brooks.

House Bill No. 2079 -- Sunset Laws - Terminates energy advisory board. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Garrett, *Brooks.

WEDNESDAY, JANUARY 19, 2000—FORTY-SECOND LEGISLATIVE DAY

House Bill No. 2080 -- Sunset Laws - Emergency communications board, June 30, 2008 Amends TCA Title 4, Chapter 29 and Title 7, Chapter 86. by *Kernell, *Garrett, *Brooks.

House Bill No. 2081 -- Sunset Laws - Department of personnel, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2082 -- Sunset Laws - Department of mental health and mental retardation, board of trustees, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 33, Chapter 1. by *Kernell, *Garrett, *Brooks.

House Bill No. 2083 -- Sunset Laws - Department of mental health and mental retardation, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2084 -- Sunset Laws - Department of economic and community development, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2085 -- Sunset Laws - Disaster relief commission, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 58, Chapter 2. by *Kernell, *Garrett, *Brooks.

House Bill No. 2086 -- Sunset Laws - Department of human services, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2087 -- Sunset Laws - Council on pensions and insurance, June 30, 2008. Amends TCA Title 3, Chapter 9, and Title 4, Chapter 29. by *Kernell, *Garrett, *Brooks.

House Bill No. 2088 -- Sunset Laws - Compact on the placement of children, June 30, 2006. Amends TCA Title 4, Chapter 29, and Title 37, Chapter 4. by *Kernell, *Garrett, *Brooks.

House Bill No. 2089 -- Sunset Laws - Committee for purchase from the blind and other severely disabled, June 30, 2006. Amends TCA Title 4, Chapter 29, and Title 71, Chapter 4. by *Kernell, *Garrett, *Brooks.

House Bill No. 2090 -- Sunset Laws - Civil service commission, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 8, Chapter 30. by *Kernell, *Garrett, *Brooks.

House Bill No. 2091 -- Sunset Laws - Human rights commission, June 30, 2004. Amends TCA Title 4, Chapter 21 and Title 4, Chapter 29. by *Kernell, *Garrett.

***House Bill No. 2092** -- Sentencing - Adds as sentencing enhancement factor circumstances wherein defendant selects victim based on victim's race, religion, color, disability, sexual orientation, national origin, ancestry or gender. Amends TCA Title 40, Chapter 35, Part 1. by *Brooks.

***House Bill No. 2093** -- Traffic Safety - Requires certain motor vehicles under certain conditions to display either yellow revolving lamp or amber strobe lamp instead of red lamp. Amends TCA Title 55, Chapter 9, Part 4. by *Ferguson.

***House Bill No. 2094** -- Taxes - Clarifies responsibility of flea market vendors for business and sales tax registration; clarifies business tax registration obligation of transient vendors selling from roadside or other temporary location Amends TCA Title 67, Chapter 6 and Title 67, Chapter 4. by *Westmoreland.

***House Bill No. 2095** -- Probation and Parole - Allows court, in misdemeanor cases, to require defendant to pay any and all costs for defendant's supervision, counseling and treatment while on probation, based on defendant's ability to pay. Amends TCA Section 40-35-303. by *Westmoreland.

***House Bill No. 2096** -- TennCare - Subjects an insurance agent to civil penalty for charging fee for taking application for health insurance coverage. Amends TCA Title 56. by *Westmoreland.

***House Bill No. 2097** -- Social Workers - Authorizes state board of education to provide supplemental funding for school social workers under certain circumstances. Amends TCA Section 49-3-359. by *Brown, *Brooks, *Jones U (Shelby), *Towns, *DeBerry L, *Pruitt.

***House Bill No. 2098** -- Juvenile Offenders - Provides public access to juvenile court records of certain serious violent offenders; ensures greater confidentiality for court records of juveniles who have not committed serious violent offenses. Amends TCA Title 37, Chapter 1, Part 1. by *Cooper B, *Turner (Shelby), *Armstrong, *Miller L, *Brooks, *Brown, *Jones U (Shelby), *Towns, *DeBerry L, *Pruitt.

***House Bill No. 2099** -- Budget Procedures - Enacts "Tennessee Health Care Trust Act." Amends TCA Title 9, Chapter 4. by *Armstrong, *Miller L, *Turner (Shelby), *Cooper B, *Brooks, *Brown, *Jones U (Shelby), *Towns, *DeBerry L, *Pruitt.

***House Bill No. 2100** -- Education, Dept. of - Creates division of dropout prevention within department of education. Amends TCA Section 49-1-202 and Title 49, Chapter 1, Part 5. by *Cooper B, *Miller L, *Turner (Shelby), *Armstrong, *Towns, *Brooks, *Brown, *Jones U (Shelby), *Pruitt, *DeBerry L.

***House Bill No. 2101** -- Economic and Community Development - Allocates certain percentage of grant funding available for distribution from Tennessee industrial infrastructure program for exclusive purpose of reclaiming and developing brownfields for use by income producing business enterprises. Amends TCA Title 4, Chapter 3, Part 7 and Title 9, Chapter 4. by *Brooks, *Brown, *Jones U (Shelby), *Towns, *Pruitt, *DeBerry L.

***House Bill No. 2102** -- Labor and Workforce Development, Dept. of - Requires all business enterprises receiving taxpayer funded grants and incentives to post all employment opportunities with employment office of the department of labor and workforce development. Amends TCA Section 50-7-608. by *Brooks, *Brown, *Jones U (Shelby), *Towns, *Pruitt, *DeBerry L.

***House Bill No. 2103** -- Traffic Safety - Creates Class C misdemeanor offense of disrupting funeral procession. Amends TCA Section 55-8-183. by *Brooks.

***House Bill No. 2104** -- Local Education Agency - Encourages LEA to extend conflict resolution intervention program implemented in grades 1 and 2 to grades 3 through 6, and to file annual progress report with governor and House Education Committees of the house and senate. Amends TCA Section 49-2-118. by *Pruitt.

***House Bill No. 2105** -- Teachers, Principals and School Personnel - Provides that compensation tied to principal's contracted performance not subject to negotiation under Education Professional Negotiations Act. Amends TCA Section 49-2-303. by *Bunch.

House Bill No. 2106 -- Education, Dept. of - Provides for appointment of commissioner of education by state board of education rather than the governor, for a term of up to four years, subject to renewal or dismissal for cause. Amends TCA Section 4-3-112; Title 4, Chapter 3, Part 8 and Title 49, Chapter 1. by *Davidson, *Winningham.

House Bill No. 2107 -- Historical Sites and Preservation - Authorizes expenditure of funds from state lands acquisition fund for benefit of state historic areas Amends TCA Section 67-4-409. by *Jackson, *McDaniel, *Davidson, *Fowlkes, *Tidwell.

***House Bill No. 2108** -- Tennessee Bureau of Investigation - Transfers issuance of handgun permits from department of safety to Tennessee bureau of investigation. Amends TCA Title 38 and Title 39. by *Buck.

***House Bill No. 2109** -- Firearms and Ammunition - Transfers regulation of handgun training schools and gun ranges from department of safety to Tennessee bureau of investigation. Amends TCA Title 39, Chapter 17, Part 13. by *Buck.

***House Bill No. 2110** -- Surplus Property - Requires rules governing transfer of state surplus personal property to local governments or non-profit corporations to include method of determining priority if more than one entity interested in purchasing same property. Amends TCA Title 12, Chapter 2, Part 4. by *Buck.

***House Bill No. 2111** -- Limitation of Actions - Adds nonsuit to reversal and arrest as to situations when plaintiff may commence new action under certain circumstances. Amends TCA Section 28-1-105. by *Buck.

House Bill No. 2112 -- Private Investigators - Exempts persons or companies who provide investigative services exclusively to and under supervision of attorneys from licensing requirements for private investigators and investigation companies. Amends TCA Section 62-26-223. by *Buck.

***House Bill No. 2113** -- Courts, Administrative Office of the - Directs administrative office of the courts to create statewide uniform application for pretrial diversion. Amends TCA Title 16, Chapter 3, Part 8 and Title 40. by *Buck.

House Bill No. 2114 -- Judgments - Redefines "judgment" and "decree" to include discretionary costs awarded pursuant to workers' compensation law for purposes of permitting post-judgment interest and amount of such interest. Amends TCA Title 47, Chapter 14 and Title 50, Chapter 6. by *Buck.

***House Bill No. 2115** -- Workers' Compensation - Clarifies that post judgment interest in workers' compensation cases is computed from date judgment entered by trial court; requires commissioner of financial institutions to maintain and send letter certifying what prime loan rate was on given month and year. Amends TCA Title 50, Chapter 6, Part 2. by *Buck.

House Bill No. 2116 -- Workers' Compensation - Imposes bad faith penalty upon insurance carrier or employer who wrongfully fails to pay employee's medical expenses within 60 days of workers' compensation judgment or settlement which requires payment of medical expenses if such failure results in additional expense; penalty in amount of up to 25 percent of medical expenses. Amends TCA Title 50, Chapter 6 and Title 56, Chapter 7. by *Buck.

***House Bill No. 2117** -- Firearms and Ammunition - Expands circumstances under which law enforcement officer may carry weapons. Amends TCA Title 39, Chapter 17, Part 13. by *Buck.

***House Bill No. 2118** -- Tort Liability - Authorizes governmental entity, upon finding of liability, to pay amount sufficient to cover all medical, pharmaceutical, physician, nursing care, therapy, psychological and psychiatric expenses reasonably incurred regardless of statutory liability limits. Amends TCA Title 29, Chapter 20. by *Buck.

House Bill No. 2119 -- Workers' Compensation - Triples maximum total benefit payable to deceased employee's estate or dependents under workers' compensation law if death resulted from violation of Tennessee Occupational Safety and Health Act Amends TCA Title 50, Chapter 6. by *Buck.

***House Bill No. 2120** -- Tennessee Bureau of Investigation - Clarifies that arresting or booking officer shall reproduce copy of fingerprints which are on file, update arrest data and forward two sets of fingerprints to TBI regardless of whether or not such fingerprints are found to be on file by the law enforcement agency. Amends TCA Title 38. by *Buck.

House Bill No. 2121 -- Workers' Compensation - Makes any portion of workers' compensation judgment not appealed or for which permission to appeal not granted by supreme court due and payable when time to appeal has expired. Amends TCA Title 50, Chapter 6, Part 2. by *Buck.

***House Bill No. 2122** -- Local Government, General - Prohibits one governmental entity from charging another governmental entity building permit fee or building inspection fee for building constructed on land within jurisdiction of governmental entity issuing permit. by *Buck.

***House Bill No. 2123** -- Courts, General Sessions - Directs administrative office of the courts, in consultation with the court clerks' association, sheriffs' association and chiefs of police, to devise and promulgate uniform general sessions court warrant. Amends TCA Title 16, Chapter 15, Part 50. by *Buck.

***House Bill No. 2124** -- Election Laws - Repeals appeal to supreme court of chancellor's decision in contest involving election results. - Repeals TCA Section 2-17-116. by *Buck.

***House Bill No. 2125** -- Cooperatives - Requires certain telephone cooperatives to conduct election using voting machines to determine whether cooperative should voluntarily dissolve under supervision of election commission, at a meeting held on a Saturday and only after meeting has been advertised in newspaper three weeks prior to meeting. Amends TCA Title 65, Chapter 29. by *Buck.

***House Bill No. 2126** -- Cooperatives - Increases certain filing fees telephone cooperatives must pay to secretary of state. Amends TCA Title 7, Chapter 59 and Title 65, Chapter 29. by *Buck.

***House Bill No. 2127** -- Equalization Board - Allows state board of equalization to rule that property which has been assessed for property taxation in one county for five years or more shall be located in different county in certain circumstances. Amends TCA Section 5-2-115 and Section 67-5-806. by *Ridgeway.

House Bill No. 2128 -- Henry County - Subject to local approval, repeals motor vehicle privilege tax - Repeals Chapter 134 of the Private Acts of 1983; as amended. by *Ridgeway.

***House Bill No. 2129** -- Bail, Bail Bonds - Requires Tennessee Association of Professional Bail Agents to contract with more than one provider of continuing education in each grand division if available; requires association to actively solicit bids from minority-owned businesses. Amends TCA Title 40, Chapter 11, Part 4. by *Cooper B.

***House Bill No. 2130** -- Day Care - Requires standards committee to develop additional standards to improve child care in certain areas; requires annual report to include technical assistance, monitoring and licensure actions of centers reimbursed on behalf of low income families. Amends TCA Title 71, Chapter 3, Part 5 and Section 71-1-130. by *Cooper B.

***House Bill No. 2131** -- Public Health and Health Care - Extends healthy start program to ten additional counties; increases reports and committees reported to; requires emphasis on coordination in state programs and access to services, especially EPSDT; requires statewide plan 2001. Amends TCA Title 37, Chapter 3, Part 7. by *Cooper B.

***House Bill No. 2132** -- Education - Permits commissioner of education to make grants to individual schools to provide for additional resources to compensate for instructional time lost due to weather. Amends TCA Title 49, Chapter 3, Part 3. by *Cooper B.

***House Bill No. 2133** -- Education - Requires personal finance education component to be added to K-12 curriculum. Amends TCA Title 49, Chapter 6, Part 10. by *Cooper B.

***House Bill No. 2134** -- Public Health and Health Care - Requires hospitals screen infants for hearing predischarge; attending health professionals refer certain newborns; tests specified; follow-ups referred to department of health or education; adds insurance coverage; misdemeanor violations; adds sight, hearing tests to healthy start pilot. Amends TCA Section 37-3-703; Title 56, Chapter 7, Part 25 and Title 68, Chapter 5. by *Cooper B.

***House Bill No. 2135** -- Public Health and Health Care - Requires department of health to develop plan by 2001 to add vision screening as prerequisite for school admission; plan and reports to certain general assembly committees; plan and rules to include forms, certain exceptions and monitoring; expands Healthy Start pilot. Amends TCA Section 37-3-703 and Title 49, Chapter 6, Part 50. by *Cooper B.

WEDNESDAY, JANUARY 19, 2000—FORTY-SECOND LEGISLATIVE DAY

***House Bill No. 2136** -- County Government - Requires department of audit to perform annual audit of each county; removes authority of counties to have audit made by independent certified public accountant or licensed public accountant. Amends TCA Section 4-3-304 and TCA Title 8, Chapter 15, Part 1. by *Cooper B.

***House Bill No. 2137** -- Law Enforcement - Authorizes retired law enforcement officers to wear uniforms, to attend POST training at no expense to the officers, to serve with active law enforcement officers and to receive license as security guard/officer without undergoing background check. Amends TCA Title 38, Chapter 8 and Title 62, Chapter 35. by *West.

***House Bill No. 2138** -- Criminal Offenses - Imposes specific criminal penalties for unauthorized use of explosives and explosive devices. Amends TCA Title 39, Chapter 14. by *West.

***House Bill No. 2139** -- Highway Signs - "Tennessee Tourist Information Center," I-40 at Stewarts Ferry Pike. by *West.

***House Bill No. 2140** -- Taxes, Real Property - Exempts from property taxes certain public radio stations with educational programming. Amends TCA Title 67, Chapter 5, Part 2. by *West.

***House Bill No. 2141** -- Zoning - Revises number of handicapped or mentally retarded persons who can live in home and be exempt from zoning restrictions from eight to six; revises number of guardians who can live in such home from three to two. Amends TCA Title 13, Chapter 24. by *West.

***House Bill No. 2142** -- Economic and Community Development - Designates neighborhood development corporation along Lebanon Road in Nashville as neighborhood development district; urges mayor to meet with persons in such area to explain advantages of local neighborhood development corporations. Amends TCA Title 13, Chapter 13. by *West.

***House Bill No. 2143** -- Capital Punishment - Requires news media representative to be full time employee of media outlet represented when applying to department of correction to witness execution; prohibits news media representative from being named on more than one such application. Amends TCA Title 40, Chapter 23. by *Hargrove.

***House Bill No. 2144** -- Alcoholic Beverages - Requires persons to display photo identification before purchasing alcoholic beverages or beer. Amends TCA Section 57-3-406; Section 57-4-203; Section 57-5-301 and Section 57-3-207. by *Fraleigh.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 2015** -- Pensions and Retirement Benefits -- House Finance, Ways and Means Committee

House Bill No. 2016 -- Carroll County -- Local Bill Held on House Desk

WEDNESDAY, JANUARY 19, 2000—FORTY-SECOND LEGISLATIVE DAY

House Bill No. 2017 -- Carroll County -- Local Bill Held on House Desk

***House Bill No. 2018** -- Auctions and Auctioneers -- House Commerce Committee

House Bill No. 2019 -- Warren County -- Local Bill Held on House Desk

House Bill No. 2020 -- Highway Signs -- House Transportation Committee

House Bill No. 2021 -- Trousdale County -- Local Bill Held on House Desk

House Bill No. 2022 -- Jamestown -- Local Bill Held on House Desk

House Bill No. 2023 -- Sullivan County -- Local Bill Held on House Desk

***House Bill No. 2024** -- Highways, Roads and Bridges -- House Transportation Committee

***House Bill No. 2025** -- Traffic Safety -- House Transportation Committee

***House Bill No. 2026** -- Civil Procedure -- House Judiciary Committee

***House Bill No. 2027** -- Real Property -- House Commerce Committee

***House Bill No. 2028** -- Schools, Home -- House Education Committee

***House Bill No. 2029** -- Education, Higher -- House Education Committee

***House Bill No. 2030** -- Insurance Companies, Agents, Brokers, Policies -- Caption Bill Held on House Desk

***House Bill No. 2031** -- Courts, Supreme Court of Tennessee -- House Judiciary Committee

***House Bill No. 2032** -- Debtor Creditor Relations -- House Judiciary Committee

***House Bill No. 2033** -- Fireworks -- House Commerce Committee

House Bill No. 2034 -- Bruceton -- Local Bill Held on House Desk

House Bill No. 2035 -- Statutes -- Caption Bill Held on House Desk

House Bill No. 2036 -- Overton County -- Local Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **January 18, 2000**, reported the following:

EDUCATION

The House Education Committee recommended for passage: House Bill(s) No(s). 1840 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 1800. Under the rules, each was transmitted to the Calendar and Rules Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **January 19, 2000**, reported the following:

JUDICIARY

The House Judiciary Committee reports that House Bill No. 908 was considered, but failed to pass.

CONSENT CALENDAR

House Bill No. 2010 -- Coffee County - Subject to local approval, authorizes highway commission to acquire, erect and maintain all road name signs on county road system. Amends Chapter 8 of the Private Acts of 1971; as amended. by *Lewis. (SB2116 by *Burks)

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	98
Noes	0

Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Kerr, **House Bill No. 609** was withdrawn from the House.

On motion of Rep. Kerr, **House Bill No. 610** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Kerr, **House Bill No. 617** was recalled from the State and Local Government Committee and withdrawn from the House.

On motion of Rep. Kerr, **House Bill No. 873** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

On motion of Rep. Kerr, **House Joint Resolution No. 62** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. Cole (Dyer), **House Bill No. 1085** was withdrawn from the House.

On motion of Rep. Cole (Dyer), **House Bill No. 1086** was withdrawn from the House.

On motion of Rep. Cole (Dyer), **House Bill No. 1087** was withdrawn from the House.

RULES SUSPENDED

Rep. Turner (Hamilton) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 382 out of order, which motion prevailed.

House Joint Resolution No. 382 -- Memorials, Retirement - Kenneth V. Farmer, Chattanooga Fire Department. by *Turner (Hamilton).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Turner (Hamilton), the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1007: Rep(s). Sands as prime sponsor(s).

House Bill No. 1512: Rep(s). Wood, Stulce and Brown as prime sponsor(s).

House Bill No. 2004: Rep(s). Naifeh as prime sponsor(s).

House Bill No. 2099: Rep(s). Langster as prime sponsor(s).

House Bill No. 2106: Rep(s). Winningham as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Briley was/were removed as sponsor(s) of **House Bill No. 1007**.

ENGROSSED BILLS

January 19, 2000

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2010, also, House Joint Resolution(s) No(s). 382 and 391.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

January 19, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 370, 372, 373, 376, 379 and 382; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 99

WEDNESDAY, JANUARY 19, 2000—FORTY-SECOND LEGISLATIVE DAY

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry, L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 9:00 a.m., Thursday, January 20, 2000.